

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 21, 1968  
10:00 A.M.

Council Chamber, City Hall

---

The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Absent: None

Present also: Charles Hill, Associate City Manager; Doren R. Eskew, City Attorney

Mr. R. M. Tinstman, City Manager, absent and Mr. Charles Hill was Acting City Manager.

Invocation was delivered by REVEREND RAY CHESTER, Brentwood Church of Christ.

MR. CLARENCE SAEGERT, introduced Dr. Walter Rubke, President of Concordia College who stated Concordia College had been in Austin for 42 years, and they were offering a junior college of quality to the young people and high school graduates on the Concordia Campus. They announced they had a small drive underway for this purpose.

MISSES PAT CONLEY and LOUISE FAGEN, Delta Zeta Sorority, invited the City Council to be its guests at the Art and Antique Roundup, Saturday.

Citizens presentation of petition concerning  
Model Cities Program

MR. ROBERT B. SMITH spoke for a delegation which had met Monday night to discuss the merits of the Model Cities Program, its purposes and standards. Most of the people at the previous meeting had voiced disapproval of the Program as they were not fully cognizant of the Model City Program; and had there been sufficient information given and a complete understanding as to the true purpose, it would have been more favorably received. In the light of the purpose of the Model City Program that it is directed to help the underprivileged, initiate job opportunities and employment, economic development, social services, and cultural developments, it was felt the Model City Program would make a substantial contribution to the needs and progress of their community. He read a resolution, "Resolving that East Austin Community be included in the study which is now in progress as relates to the Model Cities Program," signed by about 28 people meet-

ing in the Wesley Methodist Church on March 18th.

DR. JOHN KING stated a program like the Model Cities Program would give a community an opportunity to make creative innovations themselves. He suggested that a new look be given to Urban Renewal. He discussed Urban Renewal at length, citing several examples of relocating and pointing out that a way be provided when Urban Renewal relocates families that there would be an opportunity for those people to retire the debt, as some times families were moved from a sub-standard home which they own, into another place where they incur a debt they cannot pay. Dr. King said this group wanted to go on record of requesting the City to make an application for a study grant, and to join with this Council to be sure that the neighborhood selected is representative of the people of Austin, population wise as well as otherwise.

COUNCILMAN LaRUE stated this was an excellent analysis of the situation as seen today; and according to Dr. King's remarks, there should be a reappraisal of the Urban Renewal problems, as there is today a seller's market thereby placing the buyer at a disadvantage. Councilman Nichols pointed out studies were being made at the moment by the University of Texas and interested individuals of providing houses at a low cost. He believed the efforts on this problem would provide houses for those people in a way they can pay for them. There will be a solution to this problem.

COUNCILMAN LONG stated she was one of the supporters of Urban Renewal, and she felt there would be a great advantage to the citizens of Austin; but she had been bitterly disappointed that the people living in the area had been disappointed in the way they were moved out, with no place to buy a home with the money they received from their small homes. Another thing, so much of the area had been taken for public use causing people to move out of their area. If Urban Renewal is to continue, it is going to be necessary to have better provisions for the people that are being moved out. Urban Renewal is merely a part of the Model City Program, and it is necessary to have a Urban Renewal Program going so that a person can take advantage of the low interest rate and a long term pay-out to build, buy or restore his home. She said once the Council adopted a plan under Urban Renewal, it was completely out of the Council's hands, other than discussing with the people who handle Urban Renewal, and they have been very cooperative. Mayor Akin said he could understand the concern of the people. He believed Urban Renewal had a place in the Model Cities Program; but in what way it would be brought in and what roll it would play, has yet to be determined. Certainly there will be a voice of the people who are concerned in the area where the Model City Program will be developed. Mayor Akin thanked the group for presenting the Council with their petition, and expressed gratitude for their collective interest in the Model Cities Program.

COUNCILMAN JANES agreed also that Urban Renewal needed reappraising. When the Council adopts the Urban Renewal Plan, it loses control; and he hoped that would not be the case when the Model City Project is adopted.

REV. CHARLES GROSS stated one of the basic questions which involves all the members of the Austin Community, would be to make known the procedures and goal of the Model Neighborhood Plan at the grass roots level, so that the people would know the procedure and the different steps in the procedures.

DR. KING introduced those present: MESSRS. ROBERT B. SMITH, CHARLES W. GROSS, JAMES JARMON, T. A. MAYES, ROY GALLOWAY, MRS. J. M. HOLLOWAY, and MRS. F. R. RICE.

Policy Statement of Austin Housing Research Council

MR. JAMES GERST, Chairman, Austin Housing Research Council, read a policy statement of the Research Council as follows:

"The Austin Housing Reserach Council was formed as an action group of private businessmen to accomplish open housing without the passing of punitive open housing city ordinance. It is a group of 18 men who are interested in the welfare of the city. This Council passes any type of open housing ordinance that voluntary open housing be allowed to proceed.

"The position of the Austin Housing Research Council is that an open housing ordinance is not needed or desired by the general home owning public in Austin. Such an ordinance, if passed, would only serve to "harden" a situation that is now steadily improving. The Austin Housing Research Council is in favor of voluntary open housing. Progress has been and is being made and the Research Council intends to assist voluntary open housing become a broader reality in every part of Austin.

"Progress toward a complete open society was made with the orderly integration of parks, playgrounds, and swimming pools in the mid 1950's. Schools started integrating in 1955 in Austin without racial problems. Long before many other cities in the south, Austin opened its municipal golf courses to all races. It is reported that there is open housing now in ten of Austin's formerly all-white subdivisions. This progress toward complete integration has been possible, the Council feels, because of Austin citizens' willingness to accept integration on a voluntary basis. The Austin Housing Research Council in reviewing a report of the Housing Committee of the Human Relations Commission found that more home owners are willing to sell to any qualified buyer than those unwilling to do so. More than one-fourth of the apartment owners or managers contacted in this survey stated that they were willing to rent to anyone. Of the recent complaint filed against apartments in the east and central Austin area, 30% proved that they either accepted as tenants anyone morally or financially qualified or that they had no vacancies; but stated they would rent to any person regardless of race.

"The Austin Housing Research Council members sincerely believe the citizens of Austin will accept voluntary open housing more readily and lastingly than they would enforced open housing. The Council also is concerned that home ownership in a neighborhood of friends, regardless of race, color, or creed, is more desirable than using legal maneuvers in order to live in a "certain" section of the city.

The Council is to assist in voluntary open housing, and will finance and activate a program of public education.

"Plans of the Council are to immediately proceed with a survey among Realtors, Home Builders, FHA, VA, military officials, mortgage companies, banks, savings and loan associations to gather information concerning the present "advances" and restrictions in open housing. This survey will also cover new and older subdivisions in every part of town. The purpose of the subdivision survey is to find out home owners' attitudes on open housing. The results of these interviews will be used to pinpoint areas where voluntary open housing should be given an assist by the business community of Austin.

"Austin is growing, and in all directions. Its economy is moving from government, education, and retail trade into a diversified economy. New jobs, higher wages and salaries, places for Austin citizens to earn more money are opening up the city; it is in the best interests of the community to solve open housing without resorting to the drastic step of passing a city ordinance (law) and the local authorities enforcing open housing. The Austin Housing Research Council believes that it can help to bring about orderly voluntary open housing for our city."

#### Zoning Application Withdrawn

The Council had before it the following zoning application:

FOREST GATHRIGHT	4102-04 Manchaca Road	From "A" Residence
by James K. Presnal	& Rear 4020-4100 &	To "B" Residence
	4106-08 Manchaca	Not Recommended

MAJOR MARVIN CRUMLEY appeared at the Council hearing and asked that the Council deny the zoning.

MR. JAMES K. PRESNAL had a written request to withdraw the application at this time due to recent developments which would necessitate the filing of a new application.

Councilman Nichols moved that Mr. James K. Presnal be permitted to withdraw the zoning application. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

#### Zoning Cases Heard 10:30 A.M.

Pursuant to published notice thereof the following zoning applications were publicly heard:

THOMAS E. WILEY	3805 Avenue B	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area RECOMMENDED by the Plan- ning Commission
-----------------	---------------	---

Councilman Nichols moved that the change be granted as recommended. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin

Noes: None

Not in Council Chamber when roll was called: Councilman Long

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

FRED EBY, JR.

3527-3535 Manor Rd.

From "A" Residence

By Mary Owens

3522 Pershing Dr.

To "O" Office

RECOMMENDED by the

Planning Commission

Councilman Nichols moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Nichols, Mayor Akin, Councilman Janes

Noes: None

Not in Council Chamber when roll was called: Councilman Long

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

JULIO P. RODRIQUEZ

1006-1008 South 8th  
Street

From "A" Residence

To "C" Commercial

RECOMMENDED by the

Planning Commission

Councilman Nichols moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue

Noes: None

Not in Council Chamber when roll was called: Councilman Long

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

RAY YATES

Tract 1

From "A" Residence

By Chester C. Buratti 9519-9523 FM Rd.  
1325

To "C-2" Commercial

RECOMMENDED by the

Planning Commission

Tract 2

9511-9517 FM Road  
1325

From "A" Residence

To "DL" Light Industrial

RECOMMENDED by the

Planning Commission

Councilman Nichols moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial for 9519-9523 FM Road 1325 and to "DL" Light Industrial for 9511-9517 FM Road 1325 and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

JOE K. & DAISY DOBIE 4306-4312 Avenue B

From "A" Residence 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area  
NOT Recommended by the  
Planning Commission

The Chief of Plan Administration pointed out the various uses in the neighborhood on the map. The staff felt the area was different because of the residential uses and that "B" 1st H&A would be more appropriate. The applicant would not accept "B" 1st H&A.

MR. JOE K. DOBIE pointed out the commercial uses around him and the "B" 2nd H&A uses in the Vicinity; the street in front of his property is 80' wide, and he wanted to build 26 hotel apartments. In answer to Councilman LaRue's question, Mr. Dobie said if he did not sell the property he would develop it. MR. C. T. USELTON favored the zoning, as this lot backed up to a lot facing on Avenue A, which was zoned "B" 2nd H&A. He did not believe that 26 apartments could be placed on this area after the off street parking arrangements had been provided. MRS. MARY ELLEN OWENS, favored the apartment development as there was a need for homes for people.

Opposition was expressed by MR. WM. R. MITCHELL, 4318 Avenue "C", and this area has always been "A" residential and the area is fine for homes. The community is quiet. Traffic will increase with the apartment development, and the security and safety of children would be at stake.

MR. C. W. MOULDEN was not opposed to apartments per se but did question the advisability of 26 apartments on this small lot and feared parking problems.

Councilman Long who was familiar with the Hyde Park Area, stated this part of the City was changing, and the property was adjacent to "B" 2nd H&A, and this would be a good move in the Neighborhood and set a good pattern. Councilman Janes said he found it hard to concur with the commission that this zoning would be an intrusion into a residential neighborhood. Councilman Nichols stated he found this to be a changing area, one that lends itself to this type of development, and that adequate off street parking would be provided. Councilman Long moved that the change to "B" 2nd Height and Area be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

March 21, 1968

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

-----

JOE SCOTT, SR.  
by H. M. Reese

1502 Dalton Lane

From "A" Residence  
To "B" Residence  
NOT Recommended by the  
Planning Commission

MR. H. M. REESE stated the right of way had been agreed to. Councilman Long moved to grant "B" Residence 1st Height and Area, subject to the 10' of right of way. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Long, Nichols, LaRue, Janes  
Noes: None

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

-----

J.B. HOLMANS

5517-5609 Woodrow  
Avenue

From "A" Residence  
To "B" Residence  
RECOMMENDED by the  
Planning Commission

The chief of Plan Administration reported there was a letter on file dedicating 15' right of way. Councilman Long moved to grant the request with the 15' right of way needed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilmen Janes, LaRue  
Noes: None

The Mayor announced that the change had been granted to "B" Residence with the 15' right of way needed and the City Attorney was instructed to draw the necessary ordinance to cover.

-----

A. E. CROOKS

4712-4714 Depew  
Avenue

From "A" Residence  
To "BB" Residence  
RECOMMENDED by the  
Planning Commission

The Chief of Plan Administration reported the Commission recommended denial of the request, but indicated it would look with favor upon the change of zoning if the street were widened 5'. Councilman Nichols stated if the 5' were granted the property would be penalized by a reduction in the number of units. He suggested that the right of way be provided at the time the permit is issued, whereby they would not be penalized by one unit, nor would they have to go to the Board of Adjustment. Councilman Long stated the proper number of off street parking spaces would have to be provided.

Councilman Nichols moved "BB" Residence 1st Height and Area be granted subject to working out the right of way simultaneously to working out the building permit. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue, Long  
Noes: None

The Mayor announced that the change had been granted to "BB" Residence 1st Height and Area subject to working out the right of way simultaneously to working out the building permit and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

MRS. RUTH TYSON	506 Deep Eddy Avenue	From "A" Residence To "LR" Local Retail NOT RECOMMENDED by the Planning Commission
-----------------	----------------------	---

Mrs. Tyson noted the entire area was changing, and listed a number of commercial uses in the area. She had sent in a letter dedicating 8' of right of way as was needed.

Council Nichols moved "LR" Local Retail 1st Height and Area subject to the dedication of 8' of right of way be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail 1st Height and Area subject to the dedication of 8' of right of way and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

HENRY O. HAMMONS	2309-2311 South Second Street	From "A" Residence To "B" Residence NOT RECOMMENDED by the Planning Commission
------------------	----------------------------------	---

The Chief of Plan Administration reported the Planning Commission was of the opinion this would be in a residential neighborhood on a gravel street, and it would not be appropriate for apartment development. Mr. Hammons had written that he proposed the "B" zoning for the purposes of parking until the time the area could go for apartments when the restrictions were removed. His concern was for off street parking for the commercial property adjoining the lot. Councilman Nichols pointed out this parking area would be an improvement of the lot in its present condition. MR. ERWIN STORK, representing nine adjacent property owners concurred with the Planning Commission in its not recommending the zoning. He agreed this was a blighted spot. There was commercial zoning on South First and Oltorf, and it seemed the appropriate thing would be to zone the whole area commercial. Councilman Nichols asked Mr. Stork that from his testimony it seemed he would prefer that the area should be zoned to some commercial classification, and asked if he would object to this change in zoning so that the applicants could proceed with their project until applications were made for the rest of the zoning. Mr. Stork expressed opposition to the "B" zoning for just a small lot,



which might subject the area to some impediment down the line. Councilman Janes saw no adverse affect to the other properties zoning by zoning the lot in question. Councilman LaRue asked if this "B" zoning which would be for apartments would be acceptable to the rest of those people. Mr. Stork stated it was the "B" zoning they were protesting. He pointed out Oltorf was already zoned commercial up to 604 West Oltorf; there was commercial across the street, and on 2309-2311 South Second immediately to the rear of those properties. He said Oltorf would have to be widened. Councilman LaRue stated the granting of this requested "B" with the restriction, would not affect his clients in getting their zoning on Oltorf. Councilman Janes agreed. Councilman Nichols pointed out the applicants here are restricting this particular area to parking only. Councilman Long noted they said they would be willing to do this until further development.

Councilman Janes moved the request be granted subject to the property's use being restricted to parking; also subject to dedication of 5' of right of way. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the change had been granted to "B" Residence subject to the property's use being restricted to parking; also subject to dedication of 5' of right of way and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

JON N. COFFEE

2512 Durwood Street  
Rear of 2502-2514 Wilson  
Street

From "A" Residence  
To "B" Residence  
NOT RECOMMENDED by the  
Planning Commission

The Chief of Plan Administration pointed out this development would be on a gravel street, and the staff felt there was not enough access for such a large tract for apartment purposes. The Commission recommended denial of the request until better access was provided. Councilman LaRue suggested holding the request in abeyance until the applicant worked the problem out. Mr. Coffee had proposed to the Planning Commission that he would not develop or sell the property until the problem was solved. The adjoining property owner had not joined in the application, but he would try to contact him again. Mr. Coffee suggested widening Durwood 25' to the west on City property, as there is a 40' strip between Durwood and the playground property. Mr. Coffee's plans were to build low rent homes in the area. Councilman Long noted this was a good area for these types of houses, and such is greatly needed. Councilman Nichols said right of way on this property could be worked out, and he would be in favor of granting the zoning subject to the right of way. Mr. Coffee said he would dedicate 25', and try to get Mr. Moore to dedicate 25' to the offset of the property. If the City wanted to run Durwood through his property, he would be willing to dedicate whatever was needed. Councilman LaRue believed this could be handled if held until further information was available and Mr. Coffee given a chance to work with the other property owner. He would not vote for this unless the corrections were made. Councilman Janes inquired if the Planning Commission had made any effort to talk with the owners about extending the street. Councilman LaRue stated for the concern of all, the City should work out this matter, as well as the cul de sac, so that the City could examine the traffic pattern.

Councilman Long moved to grant the zoning subject to the right of way being worked out, but later withdrew the motion.

Councilman Janes asked if the Planning Department could assist those people in getting them to join in the street plan. Mayor Akin asked if it would strengthen Mr. Coffee's position if the Council had approved this subject to certain conditions. Councilman LaRue preferred leaving the matter as it is; there is no real problem, and there are too many unknowns at this moment. It was suggested that the City Attorney discuss the problems with Mr. Coffee. It was anticipated it might be two or three weeks before they could come up with a suggested solution. Finally, after further discussion Councilman Janes moved to continue the hearing for four weeks. (April 18th) The motion, seconded by Councilman LaRue carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

Zoning Hearings 2:30 P. M.

Pursuant to published notice thereof the following zoning applications were publicly heard:

(STRIPLING BLAKE LUMBER COMPANY) By John B. Selman	3416 Steck Avenue	From Interim "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area RECOMMENDED by the Planning Commission
--	-------------------	--

Councilman Long moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "D" Industrial 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

J. C. EVANS & ROBERT SNEED By John B. Selman	Tract 1 8300-8332 U.S. Highway 183	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED by the Planning Commission
	Tract 2 8305 Lazy Lane Rear of 8300-8332 U.S. Highway 183	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area RECOMMENDED by the Planning Commission

Councilman Nichols moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "C" Commercial 1st Height and Area for Tract 1 and to "B" Residence 1st Height and Area for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

C. L. REEVES	7200 Twin Crest Drive	From "B" Residence
By John Selman	302-304 St. Johns Avenue	To "O" Office
	(as amended)	RECOMMENDED by the Plan-
		ning Commission (as amended)

Councilman Long asked if the recommended amendment was acceptable to the applicant. Mr. Selman agreed that it was. Councilman Long moved the change be granted as recommended. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "O" Office (as amended) and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

LEROY BEDNAR	4109-4111 Marathon	From "A" Residence
By John Selman	Boulevard	To "O" Office
		RECOMMENDED by the
		Planning Commission

Councilman Nichols moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

PRINGLE REAL ESTATE	8618-8622 Putnam Drive	From Interim "A" Residence
By Oscar Holmes		1st Height and Area
		To "BB" Residence
		1st Height and Area
		RECOMMENDED by the
		Planning Commission

Councilman Nichols moved the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

The Mayor announced the change had been granted to "BB" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. CRUMP &  
FRANK BARRON

4308-4310 Avenue F

From "A" Residence  
1st Height and Area  
To "B" Residence  
2nd Height and Area  
NOT RECOMMENDED by the  
Planning Commission

The Chief of Plan Administration, Mr. Stevens, said the Commission had not recommended this zoning unless the Council could accept a covenant to re-establish the "A" zoning in case of a change of present use. Councilman Long said if this were granted with a restrictive covenant for the particular use which is a "Half-Way House", it would be in a location conducive to this type of use. The question was raised if, at any time this particular use was discontinued, the "A" zoning would revert automatically. The City Attorney answered the zoning would follow the procedures and would need Council action. The property owner might be willing to have this covenant mutually entered into with present property owners so they could enforce the restrictive covenant. The City could not enforce the restrictive covenant except by changing the zoning, and then the property would become a non-conforming use. Councilman Long noted this was a changing neighborhood with "O" Office, "B" and other uses. Mrs. M. F. Ebner objected to granting a zoning for one house in the neighborhood. Mrs. Ebner's property was already zoned "B". She objected to this type of use in the area, and complained about the flood lights in Mrs. Crump's yard. Mrs. Charlene Crump, Director of the project, said the neighbors were concerned only about the possibility of apartment houses. The house is a large structure with six bedrooms; and if it were not a "half-way house", it would take a very large family to accomodate such a residence. Mrs. Crump explained their project and its operation. The reason for the zoning request is not because of any alterations to the building, but because the Building Official referred to the use as a "lodging House", and it was necessary to have the proper zoning. She did not want to vacate the premises. Mrs. Crump, in response to the complaint about the spot light in her yard, said they would be glad to alleviate this problem to the neighbor; that this matter was never brought to her attention. Mrs. Paul Phillips, 4312 Avenue F said they had no objection to what was there now, but they would object if there were an apartment building constructed at this location. She asked if there were a special permit that could be obtained. Councilman Long mentioned the restrictive covenant that the zoning would revert to what it was if the use were for some other purpose. She explained the present use could not be made of "A" Residential property, and that the proper zoning would be "B" 1st Height and Area and this land backs up to property zoned "B". The City Attorney pointed out there might be a misunderstanding arise concerning an automatic reversion to "A" zoning if there were a change of use; that covenants were contractual, while zoning was acted upon by the City Council. A covenant could be drawn in such a way where the covenant could be enforced by the property owners if the use were changed. Councilman Janes said the area might become more intensively zoned in 20-30 years.

The City Attorney said a restrictive covenant could be drawn for a certain number of years or until the use of adjoining property was changed. He suggested a covenant might be prepared in the nature of an application of rezoning, constituting a request to the Council to rezone the property in the event it were used other than for what it is now. Such application would follow the true zoning procedure. Councilman Nichols pointed out the various commercial zoning and "B" areas in the neighborhood. He also discussed a covenant running with the land as might be of concern to the mortgage company. Mrs. Morrison, 4313 Speedway, opposed an apartment use of the land, and noted a vacant lot to be zoned. She did not particularly oppose the present use, but did complain about the untidiness of the alley, and the spot light in the back part of the lot under question. Mrs. Crump again stated they would turn off the light.

Regarding the zoning change and restrictive covenant, Councilman Janes explained that if a building permit were requested, the lot would have already been flagged. The City Attorney stated it would depend upon the neighbors and property owners to bring the covenant to the attention of the Council. The Building Official would maintain a record. Councilman Nichols said those living behind this location could build apartments now.

After more discussion Councilman Janes moved to grant "B" 2nd Height and Area, with a restrictive covenant as outlined by the City Attorney. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area with a restrictive covenant as outlined by the City Attorney and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

KENNETH M. BROWN  
& LYNDON L. BROWN

Tract 1  
2129-2235 Lawnmont Ave.

From "A" Residence  
1st Height and Area  
To "B" Residence  
2nd Height and Area  
RECOMMENDED Subject to  
condition

Tract 2  
2130-2316 North Loop  
Boulevard

From "A" Residence  
1st Height and Area  
To "LR" Local Retail  
2nd Height and Area  
RECOMMENDED Subject to  
condition

Mr. Richard Baker, Attorney, representing the applicants reviewed the hearing held on February 1st, and five members were in favor of the zoning change. He called attention to the reversal of tracts in the publication and in the notices; that renotification was to be made and the case readvertised. All of the conditions specified by the Commission were satisfied, and the zoning was recommended by the Planning Staff and Commission. A short form subdivision has been filed, by which the set back requirements have been set forth, as has been the contract for access. The drainage will be taken care of, as the applicants do not want to be liable in any way at the time the property is developed. Opposition was ex-

pressed to additional traffic on and the widening of Lawnmont. Another was concerned about the number of apartments and off street parking, together with the 400 cars that would use Lawnmont. Mr. Baker said this development was not a type of University development; and there would be the required off street parking per unit. Inquiry was made about a "bottle neck" and Lawnmont and Burnet Road at peak periods.

Councilman Janes said this area would contribute only a small portion of that traffic; but if such congestion did develop, arrangements would be made to correct it. The City Attorney stated five feet of right of way would come from this property under question; and if the other side starts development, five feet of right of way would be provided there. In answer to one of the citizens about paving, it was stated the property owners paid their part of the costs. Mr. Baker explained because his clients were going to put in more intensive development, they are dedicating an additional 5' or about 2,000 square feet of right of way for any future widening of the street at no cost to the City. After more discussion, Councilman Long moved to grant the zoning changes as they intended in the beginning. In the meeting of February 21st Mr. Baker discussed a restrictive covenant limiting one unit per 1,000 square feet, a five foot dedication, a 30' set back on Lawnmont; and an easement of access to be worked out with the Planning Commission. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the changes had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

M. K. PARSONS, et al	6514-6600 Berkman Dr.	From "A" Residence
by John B. Selman	1602-1610 Wheless Ln.	To "B" Residence
		RECOMMENDED by the
		Planning Commission

Mr. John B. Selman represented the applicants, and Mr. Paul Nichols. Councilman Dick Nichols announced Paul Nichols was not related to him. Mr. Selman stated his clients had a contract to purchase this property to develop apartments. Mr. Selman pointed out the physical characteristics of the area. In the immediate area there have been lots of development. The traffic is tremendous. Very few students walk to school. The development included an apartment house and a shopping center. The size of the tract and property value prevent development of single family dwellings. He pointed out the Planning Department's recommendation of "B" 1st Height and Area on Berkman and "BB" on Wheless. Ten feet of land had been offered for right of way.

Opposition was expressed by Mr. Albert Kebrdle, 1601 Wheless Lane, based on excessive traffic on Wheless Lane, and he complained about the old houses that had been moved on the property. He said apartments in this area would be premature, and traffic would be doubled on Berkman Drive. Mr. Aubrey Douglas, 1610 Wheless Lane, asked that the addresses on Wheless Lane be clarified. It was pointed out the Tax map showed the number to be 1600, and Mr. Douglas said his house was 1610. Councilman Nichols explained the area was described by metes and bounds. Mr. Selman said a tax map was filed with the application, and the address was taken from the tax map. Mr. Douglas was concerned that his property seemed

to be included in the zoning. It was explained his was not included, but Mr. Douglas said he still objected to the zoning. He had to dedicate 10' right of way before he was issued a building permit. Even though the recommendation was "BB", Mr. Douglas questioned the entrance on Wheless Lane where there is to be a shopping center. He mentioned the culvert on Wheless Lane, and the width of the approach off of Cameron Road. He would object strenuously to an apartment house next door to him; but if the zoning is granted, as a last resort, he asked that a privacy fence be required to help protect his property.

Councilman Janes pointed out the recommendation of the Commission was that it would look with favor on "BB" 1st Height and Area for the two lots fronting on Wheless Lane, "B" 1st Height and Area on the three lots fronting on Berkman Drive with the property right of way dedicated. Councilman Janes moved to uphold the recommendation of the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

Councilman Long voting for the change, wanted to see that property protected and wanted Mr. Selman to report back on the privacy fence.

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

WAYNE DAYTON, JR.  
By Richard Baker

Tract 1  
Rear of 8443-8457 U.S.  
Highway 183  
8506 Beech Drive

From Interim "A" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area  
NOT RECOMMENDED by the  
Planning Commission

Tract 2  
1400-1402 Clearfield Dr.  
8400-8402 Beech Drive

MR. RICHARD BAKER represented the applicant, stating the Council already changed the zoning on three other pieces of property on Beech Drive. This application covers the corner on Clearfield Drive and Beech Drive. Because of the size of the tract and of his owning the adjacent property, Mr. Dayton is concerned about the 5' of right of way prior to the time a building permit is taken out, as he would lose one unit. He proposed to grant to the City and option to purchase the 5' right of way for \$1.00. Because his client is giving 1500' of land from both tracts, one being a corner lot, he would lose the minimum of one unit. Councilman Nichols moved the change be granted to "B" Residence 1st Height and Area with the least amount of consideration for acquiring the 5' right of way as required. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

Councilman Janes noted this "B" zoning would buffer the subdivision, and the zoning was reasonable. Mr. Baker added that Mr. Dayton felt he could develop this 50' x150' strip, and this is the only tract he has not sold on a contract of sale.

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

-----

AUSTIN NORTHWEST	Tract 1	From Interim "A" Residence
DEVELOPMENT CO.	7900-7940 Rockwood Lane	1st Height and Area
By James E. Crozier	2920-2958 Anderson Lane	To "GR" General Retail
		1st Height and Area
	Tract 2	RECOMMENDED by the
	2611-2959 Anderson Lane	Planning Commission
	2600-2915 Foster Lane	

MR. JAMES E. CROZIER stated the necessary right of way would be dedicated. Councilman Long noted that tracts 3 and 4 had been postponed, and would not be heard before the Council today. In opposition, MR. BILL BRYCE, representing several property owners in the area, stated a petition signed by 130-140 people had been filed requesting that the zoning change be refused. Tracts 1 and 2 are vacant land. The people whom he represented were more interested in Tract No. 2 than any other portion. Tract No. 2 was annexed on May 26, 1967; and immediately afterwards the zoning request was initiated. They received no notice of the zoning change, as the owners of record received the notices. He asked that Tracts 1 and 2 remain "A" Residence as the people were told it would be when they purchased their homes. He asked that at least a "B" zone buffer be required at the southwest corner of Tract No. 2, so that the people who own homes off of Shoal-creek would not be subject to what could happen if the tract goes "GR", which would permit a bowling alley, skating rink, cafe, or drive-in selling beer. These are \$20,000-\$30,000 homes. Councilman Long stated she hoped a part of Tract No. 2 would serve as a buffer so those people would not be subject to any nuisances or noises.

Mr. Crozier stated Tract No. 2 was surrounded by Foster Lane on the east and south and the Shoal Creek channel. Tracts 1 and 2 are extensions of "GR" zoning, and Anderson Lane has a 90' right of way, with 60' of paving. In answer to Councilman Long's question about a buffer, Mr. Crozier stated they had agreed to place any type of private fence, screening shrubbery, or board fence on Tract 1.

Councilman Long inquired about right of way on Anderson Lane. It was stated when Tracts 3 and 4 came before the Council, right of way would be worked out. Mr. Bryce again expressed opposition of the home owners to this zoning. However, he urged if the zoning is to be granted that the corner be zoned "B" for a buffer zone. After more discussion, Councilman Nichols moved to grant the change to "GR" General Retail 1st Height and Area on Tracts 1 and 2, contingent upon dedication of right of way and the screening fence on Tract 1. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Absent: Councilman LaRue

The Mayor announced that the change had been granted to "GR" General Retail 1st Height and Area on Tracts 1 and 2, contingent upon dedication of right of way and the screening fence on Tract 1, and the City Attorney was instructed to draw the necessary ordinance to cover.



MRS. BEATRICE WRIGHT    5610 North Lamar Blvd.    From "A" Residence  
by Arthur E. Pihlgren    Rear of 805-813 Stark St.    1st Height and Area  
To "B" Residence  
2nd Height and Area  
NOT RECOMMENDED by the  
Planning Commission

MR. ARTHUR PIHLGREN, represented the applicant and asked that the hearing be continued until the next week when all five Council members were present. No one appeared to be heard. Councilman Long moved to continue the hearing until next week when all five Council members are present. (March 28) The motion, seconded by Councilman Janes, carried by the following vote:

Ayes:       Councilmen Janes, Long, Nichols, Mayor Akin  
Noes:       None  
Absent:      Councilman LaRue

-----

HARRY PETERSON                    6601-6625 Isabelle Dr.    From "A" Residence  
By Phil Mockford                6700-6810 Huntland Dr.    1st Height and Area  
6700-6804 Brenda Drive        To "C" Commercial  
3rd Height and Area  
NOT RECOMMENDED by the  
Planning Commission

The Chief of Plan Administration stated this applicant asked for "C" Commercial 3rd Height and Area. The Staff and Commission thought this was too intensive because it backs to a fairly new residential district. They asked that it be reduced and recommended "GR" 1st Height and Area with some condition -- (1) the three lots fronting on Brenda and one lot on Isabelle be zoned "B"; (2) a 50' buffer strip along the back of the tract to be zoned "B"; (3) that 10' of right of way be dedicated for widening of Brenda Drive; (4) that part of the fiscal arrangements to set the curb back be provided and (5) five feet to widen Isabelle Street. With these conditions the Planning Commission recommended "GR" General Retail 1st Height and Area except those four lots and "B" or "O" Office at the corner of Brenda and Huntland Drive as it is the entrance to the residence area. With the 50' buffer zoned "B", the applicants could use this for parking. Councilman Nichols asked about building a fence from Isabelle to Brenda. The Chief of Plan Administration stated the Commission considered the privacy fence, and felt that it should be provided also. Councilman Long said a 50' strip taken as a buffer line could create an ugly area. Councilman Nichols pointed out the "C" Commercial zoning and other zoning. A "B" Residence area had already been established; the applicant would be widening the streets on Brenda and Isabelle; and requiring an eight foot privacy fence would be imposing a lot of restrictions on the man's property.

MR. MOCKFORD, representing the applicant, stated this was a seven acre tract unsubdivided, and the immediate proposed use is a car dealership on the westerly three acres approximately 350' on Huntland. The remainder of the tract had no immediate proposed use. He was agreeable with dedicating the 10' on Brenda and the 5' on Isabelle; and if they are given the higher use of the property as some sort of commercial development fronting on Huntland. The portions of the recommendation to which they object are the 50' strip which virtually kills that land as far as any use they could make of it, and the "B" lot at the westerly end, which would mean relocating their building, as they planned to situate the building on the west side of the westerly tract. Losing the 50' to the back

would make it useless to them. He saw the tract as "C" Commercial. There are other large commercial firms that have "C" up and down Airport, and they see the tract as a logical extension of "C"; and possibly a buffer on the east end. The building is to be a steel building, with a brick front. He did not believe they could operate in the "GR" General Retail zone, as they cannot carry certain weight vehicles under the "GR" zone, and the Continental Cars plans to deal with the camper-type bus vehicle, and the weight in excess of one ton. Wrecker service, trailer sales, automobile rental, and a car wash are prohibited in "GR". He recognized the need for protecting the properties backing up to this area. He pointed out this property had never been a part of Huntland Heights, a residential subdivision. The people are interested in keeping Huntland Heights a residential subdivision, but this area is not subject to the covenants in that subdivision, but this area is not subject to the covenants in that subdivision. He suggested placing an 8' privacy fence with perhaps a 25' driveway. They do not want to build up to the property line.

MR. HARRY PETERSON stated they wanted to improve the image of their company in keeping with the type of automobile they handled. Councilman Long asked that the architectural plans be submitted, and Mr. Peterson was to have them delivered to the Council.

Opposition was expressed by BOB PUTNAM, 6803 Debra, representing 85 families who had their signatures on a petition opposing the changing of residential restrictions in the lots in their subdivision. All purchased their homes with the understanding residential lots would be in their neighborhood. They were aware of the "C" zones existing, but they felt that the buffer zone should be Huntland Drive. They suffer with the over flow parking from the theatre. Values of homes would be lowered considerably. The plot they were shown indicated apartments in this area, and they want the tract used for single family dwellings or apartment houses. In answer to Councilman Janes' question, Mr. Putnam stated he anticipated no parking problems from this proposed use. They hated to see any commercial get started on this tract, as they were told this was to be residential. Councilman Nichols stated the plot indicated a preliminary subdivision on the tract, but Mr. Peterson purchased the tract and the subdivision was never pursued. Mr. Putnam was aware that the property adjoining the pending "B" zoning, but restrictions ran up to 1990. Councilman Nichols stated it appeared other uses than residential were anticipated for this particular tract, or residential restrictions would have been placed on the property. An answer to Councilman Long's question, Mr. Putnam stated they opposed the "B" Residential and "O" Office zoning recommendations by the Planning Commission, as the whole tract should remain residential. He preferred apartments on the tract over commercial uses. Councilman Long asked if he would prefer following the Planning Commission recommendation than having the whole tract zoned "C". He stated that would be better than "C". Councilman Janes asked if an attractive 8' privacy fence were erected behind their property, would that not totally isolate this commercial from the residential activity behind the, and would not this be a reasonable barrier? Mr. Putnam stated it would not be if they were allowed to come up close to the back lot. The noise factor should be considered.

MR. BILL MOELLENDORF, 6706 Esther Drive said he would be facing this property. He too was given a copy of a plat indicating this was an apartment site and that it was a part of the residential subdivision. The third Height and Area would allow a building up to 90'. An 8' privacy fence would not help. Councilman Janes pointed out the 3rd Height and Area was requested for only the portion of the tract on which the sign would be located. Mr. Moellendorf asked at least to zone it for a low building, and give them a buffer zone. Mr. Mockford stated they would agree to a specific area for the location of a sign, and he could provide this information in about a week.

MR. BLOOMQUIST, 6700 Esther Drive also faced this tract. He purchased his property for a home after retiring from the service, and understood this tract was to be used for apartment development.

MR. MOCKFORD displayed the architectural drawing, describing the plans. He pointed out the operation would close at 5:00 or 5:30 P.M. and there would not be any noises after those hours. That factor would seem more desirable than an apartment house. He said all work would take place inside the building, which would be at least 25' from the back of the property line. Mr. Putnam said a zoning change should benefit the people in the neighborhood, and 85 families felt this zoning would be detrimental to them.

Councilman Nichols asked if the "B" zone for approximately 120' and "O" Office for about 120' plus an 8' privacy fence plus a restrictive covenant for 25' along the privacy fence that would be zoned "B" Residence would be satisfactory. Mr. Mockford stated they would do whatever is required in paving, but they did not want the "B" on the other end.

The Council discussed making the area along the back "B" Residence for 25'. The City Attorney asked if this 25' would carry all the way across the north side including the area on the east end which was planned to be zoned "B"? Councilman Nichols stated that portion of the tract immediately abutting the houses running from Isabelle Drive to Brenda Drive shall be 25' in width, with no covenants. Councilman Long added there should be an 8' privacy fence. Mayor Akin announced this would be held over for another week and get the height of the sign and its location pin pointed, and the rest of the tract would be "C", "B", and "O". The continued hearing was set for 11:30, March 28th.

- - - - -

J. K. EICHELBERGER  
By Oscar W. Holmes

Tract 1	From Interim "A" Residence
1214-1230 Peyton Gin Road	1st Height and Area
8901-8943 Japonica Drive To "B" Residence	
	1st Height and Area
	NOT Recommended by the
	Planning Commission
	RECOMMENDED "BB" Residence
	1st Height and Area

Tract 2	From Interim "A" Residence
1300-1408 Peyton Gin Road	1st Height and Area
8900-8914 Japonica Drive To "C" Commercial	
	1st Height and Area
	NOT Recommended by the
	Planning Commission
	RECOMMENDED "BB" Residence
	1st Height and Area

Tract 3	From Interim "A" Residence
8916-8942 Japonica Drive	1st Height and Area
	To "BB" Residence
	1st Height and Area
	NOT Recommended by the
	Planning Commission

The Council referred the above zoning case to the Planning Commission.

RICHARD E. JOHNS & 1100-1104 Robert E. Lee Rd. From Interim "A" Residence  
JACK ANDREWARTHA Rear of 1106-1126 Robert E. 1st Height and Area  
By Oscar W. Holmes Lee Road To "B" Residence  
1st Height and Area  
RECOMMENDED by the  
Planning Commission

The Chief of Planning Administration stated the application covered 18 acres of land. Apartment zoning had been requested along with an apartment subdivision. The apartment subdivision had been approved, and the zoning for this subdivision was recommended. The problem at the Zoning Hearing was the access to this particular piece of property for its increased use. The proposed street system is designed to be adequate; but at present, traffic must enter on Robert E. Lee Road at Barton Springs Road, which is narrow at that point. The neighbors feel the increased traffic will overburden the street system. Some of the neighbors were opposed to the apartments in the now existing residential subdivision. The Commission felt the area was a good location for apartments, next to the park, and next to property recently zoned for apartments and "LR" Local Retail facilities, and recommended the granting of the request. The second portion of the Commission's recommendation concerned alleviating the street problem. In answer to Councilman Nichols' question, Mr. Stevens stated the Director of Public Works was exploring the possibility of widening in this area. Extending a thoroughfare along the north side of Zilker Park involves very expensive drainage costs. In the present budget that particular portion could not be provided.

MR. OSCAR HOLMES, Engineer on the subdivision, explained the road network inside the subdivision feeds into Barton Hills Drive which is 70' right of way with 44' paving, and would be adequate to carry all of the traffic they were proposing. He pointed out the staggered zoning in the subdivision, each buffered against the adjacent group. The bottleneck at Barton Hills Road is 800-1000' from their subdivision. Steps had been inaugurated to correct the problem. It is out of their subdivision, and is one that can be corrected. Councilman Janes asked if there were plans of access through Jasmine Lane. Mr. Holmes stated traffic is designed to flow from Barton Hills Drive onto the proposed thoroughfare. They did not intend to use Jasmine Lane. Councilman Long asked if Mr. Holmes proposed to build the thoroughfare through the area. Mr. Holmes proposed to build the thoroughfare through the area. Mr. Holmes said they proposed to build the portion of Barton Hills Drive to the thoroughfare.

Councilman Long brought up for discussion the overall plan of development. Mr. Holmes said the area under question today is a part of his overall plan. Councilman Janes asked if he had any access to Robert E. Lee Road from this particular subdivision, and Mr. Holmes stated there was none at this time. He proposed to work with the City in anyway possible--help do engineering work if needed. Councilman Long stated the plans were not to flow the traffic into Robert E. Lee Road but on to Barton Hills Drive, and from there to the proposed thoroughfare. Mr. Holmes discussed Barton Hollow stating it was about 85% lower in elevation than the adjacent property. He described the various sections of the plans--one section to be "A" Residence zoning for duplexes. The Mayor asked if the City had indicated its intention to put a thoroughfare from Robert E. Lee Road through Zilker Park? Mr. Holmes said this was part of the Master Plan, in keeping with the overall study of this area. Councilman Long asked about this thoroughfare. It was stated it was on the south side of Zilker Park. In answer to Councilman Janes' question, Mr. Holmes stated the proposed thoroughfare was a needed supplement to their subdivision. He discussed and suggested a temporary measure until the thoroughfare could be built.

MR. RICHARD JOHNS stated they were set back themselves 18 months before they could do anything now due to the money market and as they have to get streets in the subdivision. He believed in 18 months the problem on Robert E. Lee Road could be worked out. Councilman Janes asked about the problem at Barton Springs Road and Robert E. Lee Road. The Director of Public Works said this was the one under testing, and he hoped to have the report shortly. It might take \$100,000 to correct this one problem. Mr. Johns said they were in Court with the rest of Barton Lee Terrace with regards to Robert E. Lee Road.

MR. FRED BULLIAN stated his family had owned this property for about 50 years, and he had thought all of the land should have been a local shopping center. He favored the apartment development in its proposed location.

MR. JAMES COX, 2504 Springcreek, submitted a petition representing 44 families in the Barton Terrace Area, opposing the zoning for apartments. He asked for a continuation of this hearing until next week until they could have their attorney present.

Opposed to the zoning also was MRS. L. A. DALY who lived on Springcreek Drive, which was the only entrance to this proposed apartment area. The only ingress and egress is Springcreek Drive within a residential zone of homes of from \$25,000 and up. They did not purchase their homes with the intention of apartment units being constructed at this location. Councilman Nichols asked Mrs. Daly if Trailside Drive would not be an entrance and exit. Mrs. Daly said it was not developed nor did it enter or exit on Robert E. Lee Road or anywhere else. Councilman Nichols explained when the subdivision was approved the development has to be in line with the approval of the plat, and Trailside Drive would be put in. It would be equivalent to Springcreek Road. Mrs. Daly said she had asked the Traffic and Transportation to put in a stop sign at this location and was assured a traffic count would be made a month ago. Councilman Long explained the subdividers built the streets in their subdivisions--not the City.

Councilman Nichols said if fourplexes were built, they would be on Trailside Drive. Councilman Janes asked if the fourplexes and duplexes would be constructed before the apartment development. Mr. Johns answered there was no money available for apartment houses now. Councilman Janes asked of Trailside would be developed before any apartments were built. Mr. Johns stated the easiest thing was to build Trailside.

MRS. C. B. MOORE, JR., agreed with what Mrs. Daly said. MR. LEONARD SORENSON said suplexes and apartment houses could be built in the area without going over to Robert E. Lee Road. Mr. Johns said there would be no apartments on Trailside Drive. Mr. Andrewartha proposes duplexes on Trailside Drive. Councilman Long said the zoning of this tract was not under consideration today, MR. COX said duplexes could be built in Zone "A"; and if money is not available for apartments now, and there will be no construction for 18 months, that the zoning be deferred. It was explained it takes time to prepare the plans.

Councilman Long stated since these problems have been raised concerning the proposed thoroughfare and Robert E. Lee Road, the sewer line that has to be lowered before Barton Hills Road can be put in, that the Council should all go look at the whole area and make a decision next week. Councilman Janes agreed there was a problem at the intersection of Barton Springs Drive and Robert E. Lee Road. Councilman Long wanted to see where the proposed thoroughfare was going through Zilker Park.

Councilman Janes asked if the right of way was public ownership. The Director of Public Works outlined the right of way line, stating in general all was

on City property. He showed the map of the area and the proposed thoroughfare. There is proposed to be a new bridge over Barton Creek; and on Plan II of Mo Pac Boulevard in the future. The first portion will be built to tie Barton Hills Drive into Robert E. Lee Road, approximately 1000'. Councilman Long moved to continue the case and hear it next week at 11:00. (March 28, 1968) The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

Discussion of Thoroughfare, Storm Sewer, Sanitary Sewer  
and Correction of Street Problem in Barton Hills Drive,  
Robert E. Lee Road and Barton Springs Road Area.

(Johns and Andrewartha Zoning Case)

MR. JIM CROZIER, living at the corner of Springcreek Drive and Barton Hills Drive, stated Barton Hills Drive shown on the map is a platted subdivision and fiscal arrangements have been pending since 1964. He explained the terrain, the sloping of a hill, and a sewer main above grade, causing a hump in the street. Mr. Crozier discussed the path of the thoroughfare and the building of the open drainage ditch in the Park area. His only objection was for the health and welfare of his family and neighbors, and he asked the Council to look at the situation at Robert E. Lee Road and Barton Springs Road. The road sluffs off at the pavement. He objected to the time a private developer had waited to get the streets developed. Councilman Long asked what had the City promised to do that it had not done. Mr. Crozier stated he was here today to ask the Council to make a decision on the development of the Road. Councilman Long explained it would be up to the property owners to improve that road but it would be up to the City to lower the line.

The Director of Public Works said in order to do the work Mr. Crozier had mentioned would mean enclosing the storm sewer all the way to Robert E. Lee Road, which project would be a very expensive one. He outlined the \$30-35,000 storm sewer work already done. Councilman Long asked what it would cost to put the storm sewer from the top of the hill all the way down to the Creek, paving, curbing, and guttering the road. The Director of Public Works stated it would exceed \$200,000. They were awaiting a testing report from the Laboratory as to what could be done on Robert E. Lee Road south of Barton Springs Road; and until this report is received he had no recommendation. He was cognizant of the 24" sanitary sewer main in the street. The Stabilization had held until the heavy rains of this year. He reported guard rails, posts and fences had been placed along the slope, but had sluffed off. Now there is a barricade at the spot, and the Traffic and Transportation Department has put up warning signs. Councilman Janes asked about a time table on the proposed thoroughfare. The Director of Public Works stated this was not set up in the Capital Improvement Program for the next two years.

-----

Establishing One-way Patterns on Colorado From  
West 13th to East-west Alley; and on alley  
From Colorado to Lavaca North of W. 13th.

The Acting City Manager, Mr. Charles Hill, reported notices had been sent to the affected property owners that a hearing would be held on the Staff

recommendation concerning the one-way movement on Colorado northbound, from West 13th Street north one-half block to an east-west alley; and one way on alley running east and west, lying north of West 13th Street, westbound from Colorado to Lavaca. Mr. William J. Burk, State Building Commission, and Mr. Rex W. Bosden, Christianson Leberman Photographers, appeared expressing favoring these one-way patterns.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing at the locations described below require that traffic upon such streets move only in a one-way direction, such locations and streets being described as follows:

<u>STREET</u>	<u>FROM - TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
Colorado	West 13th Street north one-half block to an east-west alley	Northbound
Alley running east and west and lying north of West 13th Street	Colorado Street to Lavaca Street	Westbound

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 33.38 of the Traffic Register.

The motion, seconded by Councilman Nichols, carried by the following vote:  
Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue, Long  
Noes: None

Mayor Akin announced it was 10:30 A.M. and opened the hearing on an ordinance annexing 2.32 acres of public right of way on Fredericksburg Road.

The Acting City Manager and Director of Public Works explained that the Highway Department initiated a change in their plans to extend the present construction (from IH 35 to Lamar) beyond Sunset Trail. This right of way is all publicly owned. Councilman Nichols moved the hearing be closed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

Mayor Akin brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION  
OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.32 ACRES  
OF LAND, SAME BEING OUT OF AND A PART OF THE CHARLES H.

RIDDLE SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID  
ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS  
THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN,  
IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

The ordinance was read the second time and Councilman Nichols moved that the ordinance be passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

Mayor Akin brought up the following ordinance for its third reading:  
(requested by owners)

AN ORDINANCE PROVIDING FOR THE EXTENSION OF  
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN  
AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRI-  
TORY CONSISTING OF 5.59 ACRES OF LAND, SAME BEING  
OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT  
IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL  
TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT  
BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS  
STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council had before it the following zoning.

DR. S. J. CLARK	5000 Woodrow Avenue	From "A" Residence
ESTATE		To "B" Residence

The City Attorney said the Council would recall the property fronting on Woodward involved an additional area. Dr. Clark has dedicated the right of way, and this ordinance applies only to his property and not the additional area, as no right of way had been acquired on that tract. The other property owners were not interested in dedicating right of way, but Dr. Clark is eager to have his part zoned and has provided this right of way. The Council decided rather than dismissing the additional property, that it be left as a pending matter.



The Mayor introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A 10,899 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 5000 WOODROW AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### Curb Line Parking Studies Requested

Councilman Nichols said the widening of Oltorf, from Interregional to Lamar, had been mentioned earlier in the morning, and he would like to have a study made on curb line parking during busy hours on this street; also a study on Manor Road from the Interregional to Airport Boulevard, or possibly on to the Airport.

Councilman Nichols also asked for a curb line parking study on Barton Springs Road from Lamar to Zilker Park. (Referring to a letter from Miss Jo Linda Risinger dated 3-19-68 calling attention to the on-street parking on the north side of Barton Springs Road in the evening during the 5:00 o'clock rush hour)

The Council recessed until 1:30 P.M.

RECESSED MEETING:

1:30 P.M.

At 1:30 P.M. the Council resumed its business.

## Fiesta Gardens Policy of Operation

Mr. Charles Hill, Acting City Manager, submitted the following:

"Since assuming management of Fiesta Gardens on March 1, 1968, I have tried to evaluate the present benefits of this facility and to project some ideas that will further enhance and increase usage by the general public.

"Great possibilities are in store for the Gardens, and although the short past history was not exactly successful, it is believed that various proposals as outlined should change the image and attendance within a short time.

"Although there was an interim of ownership and the winter season, the overall project is in fair condition. Some painting of the buildings and restoration of some of the south bank erosion caused by heavy rains is under way and should be completed very shortly. The mine and waterfall have been put in operation and work is being done in the Mexican Market and Greenhouse.

## PRESENT OPERATION

"Considerable thought has been given to the rates we should charge for meetings, dances and other social events. The charges for the use of these premises should be related to similar charges of hotels, the Auditorium, and Coliseum. It is recommended that we have two different rates; one for commercial activities and another rate schedule for non-commercial, non profit events. These are noted respectively as Class I and Class II.

"Class I

- A. Dance \$200.00
  - 1. Tables \$1.00 each
  - 2. Chairs 10¢ each
- B. Meetings \$75.00
  - 1. Tables \$1.00 each
  - 2. Chairs 10¢ each
- C. Dinner-Dance \$100.00
  - 1. Tables \$1.00 each
  - 2. Chairs 10¢ each
  - 3. 10% of total catering bill

"Class II

- A. Dance \$150.00 \*
  - B. Meeting \$50.00 \*
  - C. Dinner-Dance \$75.00 \*
- \* same charge for tables, chairs and catering as Class I.

## "CATERING &amp; CONCESSION

"With regard to food catering, it may be best for several reasons not to permit an exclusive in this department. Opposition from some of the hotels or motels can be foreseen if we are requested to reserve the Gardens for banquets during conventions or local association events if they are not given an opportunity to offer their services. Since a property must have special equipment to cater food, and it is recognized that it is difficult to perform the task without employees experienced in this field, it is doubtful that those not having participated

before would be interested in doing so at this time. However, dealings with the hotel managers on convention groups would be more harmonious if they at least knew an opportunity to cater would be available to them. Several qualified caterers are in Austin and a list will be available for any desiring such. Also, without an exclusive, the quality and service may be better and business could be spread among those in this field.

"Observations indicate that V. J. LaRocca would be satisfactory as a concessionaire private parties etc;. The City would receive 25% of gross as at the Auditorium.

"Many types of vending machines are available for hot and cold foods and refreshments. This arrangement should be satisfactory during the summer and winter. Cost of this equipment is being checked at this time. Consideration and further thought will be given to the possibility of a food concessionaire recommendation if enough attendance is generated during the summer months.

#### "HOURS

"It is recommended that the Gardens be open to the public seven days a week during the summer from 11:00 a.m. to 7:00 p.m. or the hour near sundown. Dances and all parties should end by midnite. In the event enough activity is generated from the winter months, the day hours should be the same. In order to have better controls and to discourage vandalism and loitering, a small admission fee of 25¢ is recommended. No charge for children under 12 when accompanied by an adult. A complete advertising program is being prepared for the public. This will include radio, TV and newspaper as well as weekly bulletins on scheduled events at the Gardens.

#### "FUTURE EXPANSION

"In making some of the following recommendations, realizing a carnival type of atmosphere is not desired, however certain facilities can be provided with good taste to draw the interest of children, which will in turn effect the parents.

"A train ride similar to the one operated at Zilker Park is recommended. A ride around the Gardens would be outstanding and cost estimate is being prepared.

"There is a noiseless gasoline powered mini boat carrying one passenger available on a concession basis. A fleet of these boats are at Lakeway Inn and the manager reports that people stood in line last summer to ride @\$2.50 for 30 minutes. Also, the city of Corpus Christi is reported as having tremendous success with these boats. This would be ideal for Fiesta Gardens. Already, great interest in the water activities has been noted.

"Water ski shows could be available for private parties and any cost involved would be borne by the organization giving the party. Investigations have been made in regard to daily water shows during the summer months for the public and at this time interest is not sufficient to warrant the expense.

"Construction of a barge suitable for catered parties to cruise on Town Lake should be given strong consideration. Also, the public and tourists may show enough interest in a boat ride from Interregional bridge or the Auditorium to the Gardens and return for a nominal fee of 25¢ to 50¢. Cost of a barge and docking facilities at the Auditorium and Interstate 35 is being explored at this time.

"Many people in Austin have expressed dissatisfaction over the condition of the road to the Gardens. A better road and directional signs are recommended.

March 21, 1968

"In summation, if all or most of the recommendations are accepted, there will be a marked improvement in the operation and increase attendance of Fiesta Gardens. We have a facility here in its infancy that will become a great asset to the City of Austin.

From: Fiesta Gardens

Signed: /s/ Leslie Elich

MR. CHARLES HILL, Acting City Manager stated Mr. Leslie Elich was present to discuss the policy of operation of Fiesta Gardens. Mr. Hill briefly summarized the three phases: Types--the cost of breaking the operation into types for which it could be used, one being commercial and the other non-commercial; catering and concession rights; and the hours of operation. Councilman Long questioned the prices shown, stating the operation should start out with something about half the price; and as it built up, then the prices could be increased. She believed the prices were too high. Mayor Akin asked Mr. Elich for some bases for the schedules he had set. Councilman Long did not want to make the hotels and this particular facility compete with each other, as a public facility should not be put on a competitive basis with the hotels and motels. Mr. Elich stated the general public would be classified as those using the facilities during the daytime, whereas the private parties would be different from general public parties. He anticipated 75-80% of the private parties would come from convention delegates in Austin. Fiesta Gardens compared with nothing in the state for private parties, dances, water shows and entertainment of this type. As far as the private parties are concerned, he stated the Junior Chamber of Commerce had booked parties for 1,000 people during their state convention.

MAYOR AKIN ran down the list of rentals on the chart in detail. Mr. Elich explained the \$200 price included a ski show. Councilman Long stated this seemed to be intended only for large out of state organizations, whereas a small local group, non profit groups could not afford the price, as they do not have large dues. She stated the ski show could be eliminated in some cases. Mr. Elich pointed out this \$200.00 charge was the same as charged for the Coliseum. Mayor Akin asked if any thought had been given to a minimum charge, for a small group, which would have exclusive use of the premises and then a graduated charge on a per-head basis. Mr. Elich said the amount of labor, utilities, etc., for each group would be the same. Councilman Nichols noted that a dance which would include a ski show at \$75.00 would mean only \$125.00 for the use of the facilities. Mayor Akin asked if the City Manager had considered these prices. The Associate City Manager replied the logic behind these rates indicated the City was in competition with itself. The renting out of the stalls at the Mexican Market had not been considered as they were not airconditioned. Councilman LaRue observed that several meeting places could be rented simultaneously. Mr. Elich stated in the daytime the Gardens would be open to the public.

Councilman Long approved of having more than one caterer as suggested; also the little train is a must, as well as the small powered boats. Councilman Nichols stated the barge trips had a lot of potential in this activity. Mr. Elich emphasized that Fiesta Gardens had much to offer in many ways. High School organization groups with adult chaperones, fraternities, sororities, and there would be adequate supervision. Councilman LaRue asked if these rates were competitive. Mr. Elich stated they were, particularly with the hotels. Discussion was held on commercial activities and non-commercial. Comparison was made with the uses at the Auditorium and Coliseum, and Fiesta Gardens was set up on those bases. Councilman Janes suggested the criteria used at the Coliseum would be satisfactory to use in this case. Councilman LaRue agreed.

Councilman Nichols suggested checking other concessionnaires to see what they would offer. Councilman Long suggested renting out the little shops in the Mexican Market. The Mayor asked Mr. Elich if he had approached these rates as to what his break-even point is on the overhead. He asked about the projection on the overhead. Councilman LaRue stated it was known how much the budget was, and now it has to be determined how many days the facilities are to be rented. Councilman Long still maintained the charges were too high in the beginning. Councilman Janes noted the charge for Fiesta Gardens was the same as for the Coliseum, but Fiesta Gardens has a ski show, complete use of the facilities, a walk way, a little cave, and a fountain. To him it would seem the price was cut under the Coliseum with these other attractions; and he would question whether or not the \$125.00 would be a break-even figure. Councilman Long noted there were the charges for the tables, and chairs. In answer to Councilman Nichols' question about the length of time it would take before accurate experience on the operation could be available, Mr. Elich stated he anticipated a year. Councilman Nichols asked if this were the recommendation of the City Manager. The Associate City Manager stated Mr. Tinstman placed it on the agenda; but if the Council had any grave concern, the City Manager would of course review the matter. Councilman Nichols suggested since this was Mr. Elich's recommendation, as well as the City Manager's, that the Council go along with it until some sort of history of operation were available. It may be the prices are ten times too high, or maybe not enough. If the Coliseum is rented at \$200.00 and the same number of feet were rented at Fiesta Gardens plus a water ski show, it would be charging more. Councilman LaRue stated the excursion barge was highly important; and if this could be offered to the hotels and motels up and down the lake, for a boat ride to Fiesta Gardens for a dinner dance and back again, it would be fantastic. The little barge they have can carry only 30 people at a time. Mr. Elich stated if a barge could be built to accomodate 100 people, that would be the thing to do. Councilman Janes was ready to approve the recommendation. Councilman Nichols stated if groups did not want the ski show they should not be required to have it included. It should be left up to the discretion of the tenants. Councilman LaRue said Mr. Elich should not pin himself down to any of these things, as he would have a lot of latitude with the \$200.00.

Councilman Janes moved that the recommendation of MR. TINSTMAN and MR. ELICH be accepted. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Nichols  
Noes: None  
Present but not voting: Councilman Long

Councilman Nichols urged that Mr. Elich go forward on the barge proposition and come in with some cost figures.

Mayor Akin stated he was happy to leave the operating details up to the Management until they get some experience and make further recommendations.

#### Street Name Changes

The Council had before it the following street name changes:

- (1) Mountain View Lane to Matterhorn Lane from Barton Hills Drive Southeasterly to end of street.
- (2) Chaparral Cove to High Chaparral Cove from Barton Hills Drive Northwesterly to end of street.

The Director of Public Works stated these streets were in a new subdivision in the Barton Hills area, and the developer had designated the names. When a check was made with the Post Office, it was found these names were in conflict with some others in the Austin postal delivery area. The developers then selected names for these streets which have been cleared through the Post Office.

At this point Councilman LaRue  
left the Council Room as he was  
leaving the City.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Barton Hills West, Section 1, a subdivision of a portion of the Henry P. Hill League, of record in Book 38 at page 26 of the Plat Records of Travis County, Texas, a certain street extending from the south line of Barton Hills Drive in a southeasterly direction to the end of said street, same being 794 feet, more or less, south of the south line of Barton Hills Drive, is designated as Mountain View Lane; and,

WHEREAS, on a map or plat of Barton Hills West, Section 1, a subdivision of a portion of the Henry P. Hill League, of record in Book 38 at page 26 of the Plat Records of Travis County, Texas, a certain street extending from the north line of Barton Hills Drive in a northwesterly direction to the end of said street, same being 143 feet, more or less, north of the north line of Barton Hills Drive, is designated as Chaparral Cove; and,

WHEREAS, the owners of lots abutting the hereinafter described streets have requested that the name of Mountain View Lane be changed to Matterhorn Lane and the name of Chaparral Cove be changed to High Chaparral Cove; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the name of the following described street designated as Mountain View Lane, as the same appears on the map or plat of Barton Hills West, Section 1, a subdivision of a portion of the Henry P. Hill League, of record in Book 38 at page 26 of the Plat Records of Travis County, Texas, be and the same is hereby changed to Matterhorn Lane, said street so changed being described as follows:

All of that certain street in the City of Austin, Travis County, Texas, known as Mountain View Lane and as shown on a map or plat of Barton Hills West, Section 1, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills West, Section 1, of record in Book 38 at page 26 of the Plat Records of Travis County, Texas, which Mountain View Lane extends from the south line of Barton Hills Drive in a southeasterly direction to the end of said street, same being 794 feet, more or less, south of the south line of Barton Hills Drive.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the name of the following described street designated as Chaparral Cove, as the same appears on the map or plat of Barton Hills West, Section 1, a subdivision of a portion of the Henry P. Hill League, of record in Book 38 at page 26 of the Plat Records of Travis County, Texas, be and the same is hereby

changed to High Chaparral Cove, said street so changed being described as follows:

All of that certain street in the City of Austin, Travis County, Texas, known as Chaparral Cove and as shown on a map or plat of Barton Hills West, Section 1, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills West, Section 1, of record in Book 38 at page 26 of the Plat Records of Travis County, Texas, which Chaparral Cove extends from the north line of Barton Hills Drive in a northwesterly direction to the end of said street, same being 143 feet, more or less, north of the north line of Barton Hills Drive.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin

Noes: None

Absent: Councilman LaRue

In line with street names, Councilman Nichols inquired if the Post Master's (Mr. Bruck) suggestion were being followed whereby the street names would be checked and straightened out. The Director of Public Works reported they were being checked. Last year there were 330 new subdivisions, and his Department was working closely with the Post Office in this regard.

#### Request to close Park Road in Zilker Park Temporarily

Councilman Long moved the request to close the Park Road in Zilker Park which leads to Stratford Drive from 12 noon to 5:00 P.M., Saturday, March 30, and Sunday, March 31, 1968, be granted. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes

Noes: None

Absent: Councilman LaRue

#### Parade Permit for University Committee to End War in Viet Nam

Councilman Long moved to approve the parade permit for the University Committee to End the War in Viet Nam to be held on April 27, 1968. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long

Noes: None

Absent: Councilman LaRue

#### Request for Banner at 19th & Guadalupe for University Committee to End the War in Viet Nam from April 15-27.

MAYOR AKIN submitted the request, stating the City had no obligation to advertise causes or products. Councilman Nichols agreed, stating this appeared to be a political connotation. Councilman Nichols moved that the Council deny the request for the placing of a banner on 19th and Guadalupe for the University Committee to End the War in Viet Nam. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols

Noes: None

Absent: Councilman LaRue

An answer to Councilman Janes' inquiry, Councilman Nichols stated if the Council denied the parade, the group would get an injunction and hold the parade. Councilman Long stated in the past rules and regulations had been set up whereby a banner request is handled by the City Manager. The Acting City Manager stated this request was submitted to the Council, as anything in the nature of political or commercial activity the Council would want the opportunity to view it. Councilman Long wondered why only certain banners came before the Council. She expressed her opposition to this one request because this was contrary to national policy, and there was no reason for this banner waving over the City with the acquiescence of the City Council. Councilman Janes stated it did have political connotations, and he asked the City Attorney about the granting of the banner permits. The City Attorney stated in the past, there had not been any permits granted based on anything other than local noncontroversial or non profit activities. The Council is not obliged to allow any banners across the streets at all.

Annexation Ordinance set for Hearing April 4th

Mayor Akin introduced the following ordinance: (Requested by Developer)

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 6.84 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 11.29 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18; AND 44.18 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE: ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Long moved that the ordinance be published in accordance with Article 1, Section 6, of the Charter of the City of Austin and set for public hearing at 10:30 A.M., April 4, 1968. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Long, Mayor Akin, Councilmen Nichols, Janes  
Noes: None  
Absent: Councilman LaRue

#### Easement Release - Abbate Subdivision

Councilman Long moved that the Council authorize the release of a portion of a public utility easement across Lots 4 and 5, Abbate Subdivision. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

#### Use of Fire Hall for Primary Election & Precinct Meeting

Councilman Long moved that the Council approve the request of the Precinct Chairman for use of the Speedway and 43rd Street Fire Station for Democratic



Primary Election and Precinct Meeting, May 4, 1968, from 7:00 A.M. to 10:00 P.M., as the customary polling place for Precinct 232, Northside Church of Christ Annex, will not be available on this date. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Absent: Councilman LaRue

Off Street Parking - 2204 San Antonio St.

Councilman Long moved that the Council approve 17 off street parking requirements at 2204 San Antonio Street for University Baptist Student Center - 17 spaces. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

Contract for Water Main from Applegate Drive  
to Braker Lane

The Associate City Manager submitted the following:

"HOLLY BLUFF STREET AND BLUFF BEND DRIVE 16-INCH WATER MAIN. Sealed bids were received until 11:00 A.M., Wednesday, March 13, 1968, for the installation of 4,515 feet of 16-inch concrete steel cylinder water main from Applegate Drive along Middle Fiskville Road, Holly Bluff Street and Bluff Bend Drive to Braker Lane. The purpose of this installation is to provide water in sufficient amounts to City owned Water District Number 7.

"Bill Tabor Construction Company	\$48,559.25	60
Walter Schmidt Construction Company	54,034.50	100
Ford-Wehmeyer, Incorporated	54,510.60	105
J. C. Evans Construction Company	58,443.50	70
Austin Engineering Company	66,973.30	110
Bland Construction Company	75,802.75	120
City of Austin (Estimate)	\$55,310.00	120

"It is recommended that the contract be awarded to the Bill Tabor Construction Company on his low bid of \$48,559.25 with 60 working days.

/s/ Dewey T. Nicholson  
Assistant Director  
Water and Sewer Department"

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 13, 1968, for the installation of 4,515 feet of 16-inch concrete steel cylinder water main from Applegate Drive along Middle Fiskville Road, Holly Bluff Street and Bluff Bend Drive to Braker Lane; and,

WHEREAS, the bid of Bill Tabor Construction Company, in the sum of \$48,559.25, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Assistant Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bill Tabor Construction Company, in the sum of \$48,559.25, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Bill Tabor Construction Company.

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, Long  
Noes: None  
Absent: Councilman LaRue

Research & Development Project  
"Design Guides for Selective Wastewater Treatment Processes"

MR. CURTIS JOHNSON, Water & Sewer Treatment Superintendent, said this was a grant offered the City from the Federal Water Pollution Control Administration which the Council had authorized the application some four months ago for about \$326,000. Some of the work would be subcontracted to the University by a cooperative agreement between the Environmental Health and Engineering group at the University and the City of Austin. This primarily will be for the Govalle Treatment Plant.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, The City Manager and the Director of Water and Wastewater Treatment have recommended that the City of Austin submit an application for a Research and Development Grant to The Federal Water Pollution Control Administration for a proposed cooperative research project between the City of Austin and the University of Texas, entitled "Design Guides for Selective Waste Water Treatment Processes;" and,

WHEREAS, the City of Austin will benefit from the proposed research through improvement of design guidelines for future treatment plant extensions and existing plant operations; and,

WHEREAS, the contribution of the City in said project will be in the provision of existing or anticipated personnel and facilities which will not require unduly large additional expenditures by the City; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, R. M. Tinstman, be, and he is hereby authorized to execute an application for a Research and Development Grant and any and all other instruments necessary for arrangements with The Federal Water Pollution and Control Administration for the undertaking of such project for the obtaining of such Grant and the execution of the work contemplated thereunder; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, R. M. Tinstman, be, and he is hereby, authorized to execute that certain contract agreement with the University of Texas entitled "Design Guides For Selective Wastewater Treatment Processes," and to assign personnel and facilities of the City as may be needed in the cooperative research project with the Federal Water Pollution Control Administration and The University of Texas, without impairment to the City's first obligation to furnish service to its own citizens.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols

Noes: None

Absent: Councilman LaRue

. . . . .

The Director of Public Works reported they were advertising this week and would take bids on April 9 for rebuilding the bridge on Manchaca Road and Williamson Creek.

. . . . .

CHANGE OF NAME OF AUSTIN-TRAVIS COUNTY TUBERCULOSIS  
HOSPITAL TO BRACKENRIDGE HOSPITAL EAST

Councilman Long moved the Council change the name of the Austin-Travis County Tuberculosis Hospital to Brackenridge Hospital East. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols

Noes: None

Absent: Councilman LaRue

Councilman Nichols inquired if the west wing of the Hospital was in service or if it was being used for office space. The Hospital Administrator reported that some of the wing was being used for office space due to construction in other parts of the hospital. Councilman Nichols asked if there were adequate beds for all patients demanding service at Brackenridge Hospital. The Administrator reported that additional beds were needed and since the Council had increased the salary paid to nurses, there was an adequate number of nurses but that certain categories of nurses were also still needed. The Hospital Administrator thanked the Council for increasing the stipends for the new interns; and there will be eleven interns due July 1st.

Councilman Janes passed on a compliment the Hospital had received in the way a patient was admitted and treated at the Hospital recently.

March 21, 1968

~~CITY OF AUSTIN, TEXAS~~

ADJOURNMENT

Councilman Long moved the Council adjourn. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, Long, Nichols  
Noes: None  
Absent: Councilman LaRue

The Council then adjourned.

APPROVED: \_\_\_\_\_

Mayor

*Harry Akin*

ATTEST: \_\_\_\_\_

*Grace Monroe*  
Asst. City Clerk